

AMENDMENTS TO LB 373

Introduced by Appropriations

1 1. Strike the original sections and insert the following
2 new sections:

3 Section 1. DEFINITION OF APPROPRIATION PERIOD.

4 For purposes of this act and any other legislative bill
5 passed by the One Hundred Second Legislature, First or Second
6 Session, which appropriates funds, FY2009-10 means the period July
7 1, 2009, through June 30, 2010; and FY2010-11 means the period July
8 1, 2010, through June 30, 2011.

9 Sec. 2. APPROPRIATION LANGUAGE.

10 There are hereby appropriated, for FY2009-10 and
11 FY2010-11, the sums set forth in this act to each agency for each
12 program from the respective funds for the general operations of
13 state government, postsecondary education, and state aid, except
14 as otherwise appropriated.

15 Sec. 3. UNEXPENDED BALANCES AND CERTIFIED ENCUMBRANCES.

16 All General Fund appropriations existing on June 30,
17 2009, in excess of expended and certified encumbrance amounts
18 are hereby lapsed unless otherwise provided. All Cash Fund
19 and Revolving Fund appropriations existing on June 30, 2009,
20 in excess of expended and certified encumbrance amounts are
21 hereby lapsed unless otherwise expressly provided. All certified
22 encumbrance amounts on June 30, 2009, and June 30, 2010, are hereby
23 reappropriated for FY2009-10 and FY2010-11, respectively, which

1 amounts shall be in addition to the amounts shown in this act.

2 Sec. 4. REAPPROPRIATION OF BALANCES, FY2009-10 to
3 FY2010-11.

4 In addition to the appropriations set forth in this
5 act, there are hereby reappropriated all unexpended appropriation
6 balances existing on June 30, 2010, for FY2010-11 to the respective
7 agencies, programs, and funds listed in this act, except for budget
8 programs contained in Laws 2009, LB 313, or as otherwise provided
9 in this act.

10 Sec. 5. NEBRASKA ACCOUNTING SYSTEM MANUAL DEFINITIONS.

11 The definitions contained in the Nebraska Accounting
12 System Manual, and any amendments thereto, on file with the Clerk
13 of the Legislature are hereby adopted by the Legislature as the
14 definitions for this act, except as provided in section 34 of this
15 act.

16 Sec. 6. DRAWING AND PAYING WARRANTS.

17 The Director of Administrative Services shall draw
18 warrants upon the proper fund in the state treasury for an amount
19 not to exceed the appropriations set forth in this act upon
20 presentation of proper documentation. The State Treasurer shall pay
21 the warrants out of the appropriate funds.

22 Sec. 7. AGENCY NO. 12 - STATE TREASURER

23 Program No. 665 - Convention Center Facility Financing
24 Assistance

	<u>FY2009-10</u>	<u>FY2010-11</u>
25		
26 <u>CASH FUND</u>	<u>-0-</u>	<u>2,396,299</u>
27 <u>PROGRAM TOTAL</u>	<u>-0-</u>	<u>2,396,299</u>

1	NEBRASKA CAPITAL	1,000,000	1,000,000	-0-
2	CONSTRUCTION FUND			
3	PROGRAM TOTAL	1,000,000	1,000,000	-0-

4 The unexpended Nebraska Capital Construction Fund
5 appropriation balance existing on June 30, 2010, less \$682,985, is
6 hereby reappropriated.

7 The State Capitol Administrator is hereby authorized
8 to undertake projects identified within the Master Plan for
9 the Conservation and Restoration of the Nebraska State Capitol.
10 Prior to expending any amounts appropriated in this section, the
11 State Capitol Administrator shall identify projects planned to be
12 undertaken with such amounts and shall submit such plans to the
13 Nebraska Capitol Commission for approval. There is included in
14 the appropriation to this program \$1,000,000 for FY2009-10 and
15 \$1,000,000 for FY2010-11 from the Nebraska Capital Construction
16 Fund for such purpose. Of the amount appropriated for FY2009-10,
17 not less than \$150,000 shall be allocated for conservation and
18 restoration of Capitol space occupied by the Legislature. Of the
19 amount appropriated for FY2010-11, not less than \$150,000 shall
20 be allocated for conservation and restoration of Capitol space
21 occupied by the Legislature.

22 Sec. 10. Laws 2009, LB 315, section 216, is amended to
23 read:

24 Sec. 216. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE
25 SERVICES

26 Program No. 591 - Tort Claims

	FY2009-10	FY2010-11	
1			
2	GENERAL FUND	210,000	210,000
3	CASH FUND	50,000	50,000
4	PROGRAM TOTAL	260,000	260,000
5	<u>CASH FUND</u>	<u>50,000</u>	<u>143,433</u>
6	<u>PROGRAM TOTAL</u>	<u>260,000</u>	<u>353,433</u>
7	SALARY LIMIT	-0-	-0-

8 (1) The following amounts are hereby transferred to the
9 Tort Claims Fund from the respective agency fund balances:

- 10 (a) \$198 from the Department of Motor Vehicles;
- 11 (b) \$15,048 from the Department of Roads;
- 12 (c) \$4,884 from the Game and Parks Commission; and
- 13 (d) \$254 from the Department of Administrative Services
- 14 state building division.

15 Such sums shall be transferred to the risk management and
16 state claims division no later than August 1, 2009, or in four
17 equal payments on August 1, October 1, January 1, and April 1, at
18 the discretion of the Risk Manager.

19 (2) The following amounts are hereby transferred to the
20 Tort Claims Fund from the respective agency fund balances:

- 21 (a) ~~\$198~~ \$1,107 from the Department of Motor Vehicles;
- 22 (b) ~~\$15,048~~ \$158,728 from the Department of Roads;
- 23 (c) ~~\$4,884~~ \$3,418 from the Game and Parks Commission; and
- 24 (d) ~~\$254~~ \$288 from the Department of Administrative
- 25 Services state building division.

1 Such sums shall be transferred to the risk management and
2 state claims division ~~no later than August 1, 2010, or in four~~
3 ~~equal payments on August 1, October 1, January 1, and April 1, at~~
4 the discretion of the Risk Manager.

5 It is the intent of the Legislature that transfers
6 specified in this section for FY2010-11 be adjusted by the One
7 Hundred First Legislature, Second Session, 2010, in accordance with
8 information available after July 1, 2009.

9 The unexpended cash fund balance existing on June 30,
10 2011, is hereby reappropriated into the 2011-13 biennium.

11 Sec. 11. Laws 2009, LB 603A, section 1, is amended to
12 read:

13 Section 1. There is hereby appropriated (1) \$1,386,548
14 from the General Fund and \$296,548 from federal funds for FY2009-10
15 and (2) ~~\$2,251,029~~ \$1,941,029 from the General Fund and \$374,002
16 from federal funds for FY2010-11 to the Department of Health
17 and Human Services, for Program 33, to aid in carrying out the
18 provisions of Legislative Bill 603, One Hundred First Legislature,
19 First Session, 2009.

20 Total expenditures for permanent and temporary salaries
21 and per diems from funds appropriated in this section shall not
22 exceed \$416,659 for FY2009-10 or \$556,012 for FY2010-11.

23 Sec. 12. Laws 2009, LB 603A, sections 2 is amended to
24 read:

25 Sec. 2. There is hereby appropriated (1) \$1,111,984
26 from the General Fund for FY2009-10 and (2) ~~\$2,056,047~~ \$1,866,047
27 from the General Fund for FY2010-11 to the Department of Health

1 and Human Services, for Program 38, to aid in carrying out the
2 provisions of Legislative Bill 603, One Hundred First Legislature,
3 First Session, 2009.

4 No expenditures for permanent and temporary salaries and
5 per diems for state employees shall be made from funds appropriated
6 in this section.

7 Sec. 13. Laws 2009, First Special Session, LB 1, section
8 14, is amended to read:

9 Sec. 14. AGENCY NO. 3 - LEGISLATIVE COUNCIL

10 ~~Program No. 85 - Legislative Council Operations~~

11 The Department of Administrative Services shall monitor
12 the appropriations and expenditures for this ~~program~~ agency
13 for FY2009-10 and FY2010-11 according to the following program
14 classifications:

15 No. 122 - Legislative Services

16 No. 123 - Clerk of the Legislature

17 No. 126 - Legislative Research

18 No. 127 - Revisor of Statutes

19 No. 129 - Legislative Audit

20 No. 501 - Intergovernmental Cooperation

21 No. 504 - Office of Public Counsel

22 No. 638 - Fiscal and Program Analysis Office

23 The ~~Executive Board of the Legislative Council~~ budget
24 administrator of the budget division of the Department of
25 Administrative Services shall have the authority to transfer
26 appropriations and salary limits among the above-listed program
27 classifications as directed by the Executive Board of the

1 Legislative Council.

2 Sec. 14. Laws 2009, First Special Session, LB 1, section
3 91, is amended to read:

4 Sec. 91. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
5 SERVICES

6 Program No. 38 - Behavioral Health Aid

7	FY2009-10	FY2010-11
8 GENERAL FUND	74,091,067	74,537,011
9 CASH FUND	14,582,280	14,582,280
10 FEDERAL FUND est.	10,504,971	10,504,971
11 PROGRAM TOTAL	99,178,318	99,624,262

12 There is included in the appropriation to this program
13 for FY2009-10 \$74,091,067 General Funds, \$14,582,280 Cash Funds,
14 and \$10,504,971 Federal Funds estimate for state aid, which
15 shall only be used for such purpose. There is included in the
16 appropriation to this program for FY2010-11 \$74,537,011 General
17 Funds, \$14,582,280 Cash Funds, and \$10,504,971 Federal Funds
18 estimate for state aid, which shall only be used for such purpose.

19 There is included in the amount shown as General Fund
20 aid in this program \$1,318,061 General Funds for FY2009-10 and
21 \$1,764,005 General Funds for FY2010-11 for an increase in rates
22 paid to providers of mental health and substance abuse services,
23 which funds shall only be used for such purpose.

24 There is included in the amount shown as Cash Fund aid
25 in this program \$6,500,000 Cash Funds for FY2009-10 and \$6,500,000
26 Cash Funds for FY2010-11 from the Nebraska Health Care Cash Fund

1 to be used for community-based mental health and substance abuse
2 services, including intermediate-level residential mental health
3 services. It is the intent of the Legislature that these funds
4 shall be distributed to each of the six behavioral health regions
5 based upon a formula determined by the Department of Health and
6 Human Services.

7 There is included in the amount shown as Cash Fund aid
8 in this program \$2,599,660 Cash Funds for FY2009-10 and \$2,599,660
9 Cash Funds for FY2010-11 from the Nebraska Health Care Cash Fund to
10 be used for rates paid to providers of mental health and substance
11 abuse services.

12 There is included in the amount shown as Cash Fund aid
13 in this program \$1,500,000 Cash Funds for FY2009-10 and \$1,500,000
14 Cash Funds for FY2010-11 from the Nebraska Health Care Cash Fund
15 to be used for the cost of maintenance and treatment of persons
16 in emergency protective custody under the Nebraska Mental Health
17 Commitment Act.

18 There is included in the amount shown as Cash Fund aid
19 in this program \$225,000 Cash Funds for FY2009-10 and \$225,000 Cash
20 Funds for FY2010-11 from the Nebraska Health Care Cash Fund to be
21 used for compulsive gamblers assistance programs.

22 The unexpended General Fund appropriation balance
23 existing on June 30, 2009, less \$4,767,970, is hereby
24 reappropriated.

25 The unexpended General Fund appropriation balance
26 existing on June 30, 2010, less \$6,860,778, is hereby
27 reappropriated.

1 Sec. 15. Laws 2009, First Special Session, LB 1, section
2 96, is amended to read:

3 Sec. 96. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
4 SERVICES

5 Program No. 344 - Children's Health Insurance

	FY2009-10	FY2010-11
6		
7 GENERAL FUND	6,937,592	8,553,462
8 CASH FUND est.	5,000,000	5,000,000
9 FEDERAL FUND est.	35,096,231	36,044,236
10 PROGRAM TOTAL	47,033,823	49,597,698

11 There is included in the appropriation to this program
12 for FY2009-10 \$6,937,592 General Funds, \$5,000,000 Cash Funds
13 estimate, and \$35,096,231 Federal Funds estimate for state aid,
14 which shall only be used for such purpose. There is included in
15 the appropriation to this program for FY2010-11 \$8,553,462 General
16 Funds, \$5,000,000 Cash Funds estimate, and \$36,044,236 Federal
17 Funds estimate for state aid, which shall only be used for such
18 purpose.

19 There is included in the appropriation to this program
20 for FY2009-10 \$5,000,000 Cash Funds for state aid from the Nebraska
21 Health Care Cash Fund. There is included in the appropriation to
22 this program for FY2010-11 \$5,000,000 Cash Funds for state aid from
23 the Nebraska Health Care Cash Fund.

24 It is the intent of the Legislature that phased-down
25 state contributions to the federal government as defined and
26 required by the Medicare Prescription Drug, Improvement, and

1 Modernization Act of 2003 may be made from appropriations to
2 this program.

3 The unexpended General Fund appropriation balance
4 existing on June 30, 2009, less \$656,914, is hereby reappropriated.

5 The unexpended General Fund appropriation balance
6 existing on June 30, 2010, less \$3,930,320, is hereby
7 reappropriated.

8 Sec. 16. Laws 2009, First Special Session, LB 1, section
9 100, is amended to read:

10 Sec. 100. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
11 SERVICES

12 Program No. 422 - Beatrice State Developmental Center
13 Contingency Fund

	FY2009-10	FY2010-11
14 GENERAL FUND	15,000,000	24,477,558
15 PROGRAM TOTAL	15,000,000	24,477,558
16 GENERAL FUND	<u>15,000,000</u>	<u>22,477,558</u>
17 PROGRAM TOTAL	<u>15,000,000</u>	<u>22,477,558</u>

18 There is included in the appropriation to this program
19 for FY2009-10 \$15,000,000 General Funds and for FY2010-11
20 ~~\$24,477,558~~ \$22,477,558 General Funds to be used solely to
21 supplant federal funds lost due to federal action to decertify the
22 participation of the Beatrice State Developmental Center in the
23 medical assistance program.

24 No expenditures shall be made from this program. The
25 chief executive officer of the Department of Health and Human
26 Services, or his or her designee, shall certify to the budget
27

1 administrator of the budget division of the Department of
2 Administrative Services for FY2009-10 and FY2010-11 the amounts
3 necessary to supplant federal funds not available to operate the
4 Beatrice State Developmental Center due to federal decertification
5 of the Beatrice State Developmental Center from participation in
6 the medical assistance program. The budget administrator shall
7 administratively transfer during FY2009-10 and FY2010-11 available
8 appropriation balances as certified by the chief executive officer
9 of the Department of Health and Human Services, or his or her
10 designee, from appropriations contained in this section to the
11 Beatrice State Developmental Center, Program 421.

12 Sec. 17. Laws 2009, First Special Session, LB 1, section
13 101, is amended to read:

14 Sec. 101. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
15 SERVICES

16 Program No. 424 - Developmental Disability Aid

17	FY2009-10	FY2010-11
18 GENERAL FUND	83,269,149	90,573,431
19 CASH FUND	6,112,000	6,112,000
20 PROGRAM TOTAL	89,381,149	96,685,431

21 There is included in the appropriation to this program
22 for FY2009-10 \$83,269,149 General Funds and \$6,112,000 Cash Funds
23 for state aid, which shall only be used for such purpose. There
24 is included in the appropriation to this program for FY2010-11
25 \$90,573,431 General Funds and \$6,112,000 Cash Funds for state aid,
26 which shall only be used for such purpose.

1 There is included in the amount shown as General Fund
2 aid in this program for FY2009-10 \$1,844,913 General Funds and for
3 FY2010-11 \$2,601,327 General Funds for an increase in rates paid to
4 providers of developmental disability services, which funds shall
5 only be used for such purpose.

6 There is included in the amount shown as Cash Fund aid in
7 this program for FY2009-10 \$5,000,000 Cash Funds and for FY2010-11
8 \$5,000,000 Cash Funds from the Nebraska Health Care Cash Fund to be
9 used for services for persons with developmental disabilities (1)
10 who were on the waiting list for such services prior to July 1,
11 2001, and began receiving such services on and after such date and
12 (2) who are on the waiting list for such services on and after July
13 1, 2009, beginning with those who have been on the waiting list for
14 the greatest length of time past their date of need.

15 There is included in the appropriation to this program
16 for FY2009-10 a total of \$4,697,920 General Funds to be used for
17 services for persons with developmental disabilities who are on the
18 waiting list for such services beginning with those who have been
19 on the waiting list for the greatest length of time past their date
20 of need. Two-thirds of such funds, or \$3,131,947 General Funds,
21 shall be provided for services to persons waiting the longest
22 past their date of need. One-third of such funds, or \$1,565,973
23 General Funds, shall be provided to persons waiting the longest for
24 services past their date of need who opt for supported services.

25 There is included in the appropriation to this program
26 for FY2010-11 a total of \$10,525,788 General Funds to be used for
27 services for persons with developmental disabilities who are on the

1 waiting list for such services beginning with those who have been
2 on the waiting list for the greatest length of time past their date
3 of need. Two-thirds of such funds, or \$7,020,700 General Funds,
4 shall be provided for services to persons waiting the longest
5 past their date of need. One-third of such funds, or \$3,505,088
6 General Funds, shall be provided to persons waiting the longest for
7 services past their date of need who opt for supported services.

8 It is the intent of the Legislature that the Department
9 of Health and Human Services shall provide a quarterly report to
10 the Legislature regarding the usage of General Funds and Federal
11 Funds for the waiting list. The initial quarterly report shall be
12 submitted within two weeks after the quarter ending on September
13 30, 2009. Subsequent reports shall be submitted for the ensuing
14 quarters, within two weeks after the end of each quarter, for
15 FY2009-10 and FY2010-11. The reports shall include, but not be
16 limited to, the number of persons offered services, the type of
17 service offered and the cost of such services, the number of
18 persons accepting services, the services accepted, the cost of each
19 type of service accepted in each fiscal year, and ongoing annual
20 expenditures for such services.

21 The unexpended General Fund appropriation balance
22 existing on June 30, 2010, less \$6,774,348, is hereby
23 reappropriated.

24 Sec. 18. Laws 2009, First Special Session, LB 1, section
25 103, is amended to read:

26 Sec. 103. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
27 SERVICES

1	Program No. 514 - Health Aid		
2		FY2009-10	FY2010-11
3	GENERAL FUND	4,786,648	4,807,372
4	CASH FUND	10,555,484	11,295,817
5	FEDERAL FUND est.	35,381,001	36,011,715
6	PROGRAM TOTAL	50,723,133	52,114,904

7 Notwithstanding other provisions of this act, all
8 appropriations within this program existing on June 30, 2009, in
9 excess of expended or encumbered amounts are hereby lapsed.

10 There is included in the appropriation to this program
11 for FY2009-10 \$4,786,648 General Funds, \$10,555,484 Cash Funds, and
12 \$35,381,001 Federal Funds estimate for state aid, which shall only
13 be used for such purpose. There is included in the appropriation
14 to this program for FY2010-11 \$4,807,372 General Funds, \$11,295,817
15 Cash Funds, and \$36,011,715 Federal Funds estimate for state aid,
16 which shall only be used for such purpose.

17 There is included in the appropriation to this program
18 \$650,507 General Funds for FY2009-10 and \$653,759 General Funds for
19 FY2010-11, which shall only be used for the following purposes:
20 Reimbursement for the provision of pap smears, colposcopy, cervical
21 biopsy, cryotherapy, loop electrosurgical excision procedure
22 (LEEP), and such other treatments and procedures as may be
23 developed for the followup of abnormal pap smears; the diagnosis
24 and treatment of sexually transmitted diseases, including, but not
25 limited to, chlamydia, gonorrhea, HPV (genital warts), and herpes;
26 and associated laboratory and equipment costs and staff training

1 costs relating to the use of colposcopy equipment. None of the
2 General Funds provided under this program shall be used to perform
3 or facilitate the performance of abortion or to counsel or refer
4 for abortion.

5 The unexpended General Fund appropriation balance
6 existing on June 30, 2010, less \$568,612, is hereby reappropriated.

7 Sec. 19. Laws 2009, First Special Session, LB 1, section
8 122, is amended to read:

9 Sec. 122. AGENCY NO. 31 - MILITARY DEPARTMENT

10 Program No. 192 - Governor's Emergency Aid

	FY2009-10	FY2010-11
11 GENERAL FUND	1,000,000	500,000
12 <u>GENERAL FUND</u>	<u>1,000,000</u>	<u>11,360,000</u>
13 FEDERAL FUND est.	4,500,000	4,500,000
14 PROGRAM TOTAL	5,500,000	5,000,000
15 <u>PROGRAM TOTAL</u>	<u>5,500,000</u>	<u>15,860,000</u>

16 There is no salary limitation for this program.

17 The unexpended General Fund and Cash Fund appropriation
18 balances existing on June 30, 2009, are hereby reappropriated.

19 There is included in the appropriation to this program
20 for FY2009-10 \$1,000,000 General Funds, \$4,500,000 Federal Funds
21 estimate, plus any reappropriated amount, for state aid. There
22 is included in the appropriation to this program for FY2010-11
23 ~~\$500,000~~ \$11,360,000 General Funds and \$4,500,000 Federal Funds
24 estimate for state aid.

25 Expenditures from this program shall not be restricted to

1 state aid if other expenditures are necessary to fulfill the goals
2 of the Governor's Emergency Aid Program.

3 Sec. 20. Laws 2009, First Special Session, LB 1, section
4 217, is amended to read:

5 Sec. 217. AGENCY NO. 85 - PUBLIC EMPLOYEES RETIREMENT
6 BOARD

7 Program No. 41 - Administration of Retirement Systems and
8 Deferred Compensation

9	FY2009-10	FY2010-11
10 CASH FUND	6,588,724	5,062,805
11 PROGRAM TOTAL	6,588,724	5,062,805
12 GENERAL FUND	-0-	10,000
13 CASH FUND	6,588,724	5,125,305
14 PROGRAM TOTAL	6,588,724	5,135,305
15 SALARY LIMIT	1,988,673	2,036,163

16 Notwithstanding other provisions of this act, all General
17 Fund appropriations within this program existing on June 30, 2009,
18 in excess of expended or encumbered amounts are hereby lapsed.

19 The unexpended Cash Fund appropriation balance existing
20 on June 30, 2009, less \$1,447,458, is hereby reappropriated.

21 An additional \$10,000 General Funds and \$62,500 Cash
22 Funds are provided for FY2010-11 for base-line projections and
23 actuarial analysis associated with the state patrol and school
24 employee retirement plans.

25 Sec. 21. Laws 2010, LB 935, section 11, is amended to
26 read:

27 Sec. 11. AGENCY NO. 12 - STATE TREASURER

28 Program No. 12 - Salary - State Treasurer

1		FY2009-10	FY2010-11
2	CASH FUND	2,000	3,000
3	PROGRAM TOTAL	2,000	3,000
4	<u>CASH FUND</u>	<u>2,000</u>	<u>-0-</u>
5	<u>PROGRAM TOTAL</u>	<u>2,000</u>	<u>-0-</u>
6	SALARY LIMIT	-0-	-0-

7 Sec. 22. Laws 2010, LB 935, section 19, is amended to
8 read:

9 Sec. 19. There is hereby appropriated, unless otherwise
10 specified, for FY2009-10 and for FY2010-11 from undisbursed
11 balances existing on June 30, 2009, and on June 30, 2010,
12 respectively, to each agency for each program from the respective
13 funds for capital construction as follows:

14 (1) Agency No. 25 - Department of Health and Human
15 Services

16 Program Nos. 906, 922, 923, 924, and 931.

17 (2) Agency No. 27 - Department of Roads

18 Program No. 901, except that the unobligated biennium
19 appropriation balance shall lapse once all projects funded in
20 that biennium are completed, postponed to a future biennium, or
21 indefinitely postponed.

22 (3) Agency No. 28 - Department of Veterans' Affairs

23 Program No. 937 - Alliance State Veterans' Cemetery.

24 (4) Agency No. 31 - Military Department

25 Program Nos. 905, 906, 910, and 925.

26 (5) Agency No. 33 - Game and Parks Commission

27 Program Nos. 900, 901, 902, 919, 924, 960, 966, 967, 968,

1 969, 971, 972, 973, 975, 976, 977, 979, and 981, except that for
2 FY2009-10 only the undisbursed balances existing on June 30, 2009,
3 for the following programs and projects shall be reappropriated and
4 all other unobligated June 30, 2009, balances shall lapse:

5 Program No. 900 - State Park System Facility Improvements
6 and Motor Boat Access Facilities, less \$579,018 of unobligated
7 Cash Fund and \$20,613 of unobligated Federal Fund appropriation
8 authority

9 Program No. 901 - State Parks Facilities Deferred
10 Maintenance, less \$102,322 of unobligated Cash Fund appropriation
11 authority

12 Program No. 902 - Trail Development Assistance, less
13 \$1,433 of unobligated Cash Fund appropriation authority

14 Program No. 919 - Political Subdivisions Aid

15 Program No. 924 - Wildlife Land Acquisition and
16 Improvements

17 Program No. 960 - Park and Recreation Land Acquisition,
18 including the purchase of land for a new maintenance facility to
19 replace the facility located at 30th and Y Streets in Lincoln, less
20 \$266,731 of unobligated Cash Fund appropriation authority

21 Program No. 966 - Trail Development

22 Program No. 967 - Improvements to State Parks, less
23 \$217,431 of unobligated Cash Fund appropriation authority

24 Program No. 968 - State Historical Parks, less \$160,810
25 of unobligated Cash Fund appropriation authority

26 Program No. 969 - Improvements to State Recreation Areas,
27 less \$204,690 of unobligated Cash Fund appropriation authority

1 Program No. 971 - Improvements to Special Use Areas
2 (Wildlife Management Areas), less \$257,529 of unobligated Cash Fund
3 appropriation authority

4 Program No. 972 - Improvements to Administrative
5 Facilities, less \$328,414 of unobligated Cash Fund appropriation
6 authority

7 Program No. 973 - Improvements to Fish Production
8 Facilities, less \$462,097 of unobligated Cash Fund appropriation
9 authority

10 Program No. 975 - Emergency Repairs to State Park
11 System Areas, less \$25,000 of unobligated Cash Fund appropriation
12 authority

13 Program No. 976 - Emergency Repairs to Fish and Wildlife
14 Facilities

15 Program No. 977 - Nongame and Endangered Species Land
16 Acquisition and Development

17 Program No. 979 - Cowboy Trail - Emergency Repairs and
18 Deferred Maintenance, provided that deferred repair projects may be
19 addressed from the unobligated construction appropriations in this
20 program

21 Program No. 981 - Aquatic Habitat Enhancement and
22 Restoration

23 (6) Agency No. 46 - Department of Correctional Services

24 Program Nos. 913, 915, 916, 918, and 920.

25 (7) Agency No. 47 - Nebraska Educational
26 Telecommunications Commission

27 Program Nos. 911, 912, 917, 922, 925, and 926. There

1 is hereby appropriated \$180,000 Cash Fund estimate for FY2009-10
2 for Program 917, the unexpended balance of which existing on June
3 30, 2010, is hereby reappropriated for FY2010-11. Of the amount
4 reappropriated to Program 926, up to \$197,507 may be utilized
5 as matching funds for grants to replace the four remaining radio
6 transmitter towers. There is hereby appropriated \$197,507 Cash Fund
7 estimate for FY2009-10 for Program 926, the unexpended balance
8 of which existing on June 30, 2010, is hereby reappropriated for
9 FY2010-11.

10 (8) Agency No. 50 - Board of Trustees of the Nebraska
11 State Colleges

12 Program Nos. 919, 920, 921, 945, 946, 951, 952, 993,
13 and 996, and any additional construction programs administratively
14 created relating to the Board of Trustees of the Nebraska State
15 Colleges and its campuses which are funded through cash funds,
16 federal funds, revolving funds, or private gifts or donations. The
17 undisbursed appropriation balance for Program No. 998 existing on
18 June 30, 2009, is hereby appropriated for Program No. 840 for
19 FY2009-10. Of such amount appropriated for Program No. 840 for
20 FY2009-10, the undisbursed balance existing on June 30, 2010, is
21 hereby reappropriated for FY2010-11.

22 (9) Agency No. 51 - University of Nebraska

23 Program Nos. 901, 902, 903, 905, 907, 908, 909, 912,
24 915, 917, 918, 920, 922, 925, 927, 928, 933, 934, 935, 937, 942,
25 943, 944, 946, 947, 948, 949, 951, 952, 953, 954, 955, 956, 958,
26 959, 960, 962, 964, 965, 966, 967, 968, 969, 970, 973, 974, 975,
27 976, 978, 980, 982, 983, 985, 989, 990, 992, 993, 994, and 997,

1 and any additional construction programs administratively created
2 relating to the University of Nebraska-Lincoln, the University
3 of Nebraska at Omaha, the University of Nebraska Medical Center,
4 the University of Nebraska at Kearney, the Nebraska College of
5 Technical Agriculture at Curtis, and the University of Nebraska
6 Central Administration which are funded through cash funds, federal
7 funds, revolving funds, or private gifts or donations.

8 (10) Agency No. 54 - Nebraska State Historical Society
9 Program No. 954, less \$1,000,000 of unexpended Nebraska Capital
10 Construction Fund appropriation authority as of June 30, 2009,
11 and less \$100,000 of unexpended Nebraska Capital Construction Fund
12 appropriation authority as of June 30, 2010.

13 (11) Agency No. 65 - Department of Administrative
14 Services

15 Program Nos. 901, 913, 920, 924, 932, 933, 935, 939, 940,
16 980, 981, and 982.

17 Appropriations to program numbers pertaining to funding
18 for the Deferred Building Renewal Act are hereby reappropriated.

19 The budget division of the Department of Administrative
20 Services is hereby authorized to implement the appropriation of
21 unexpended balances existing on June 30, 2009, such that unexpended
22 State Building Fund balances are reappropriated for FY2009-10 as
23 General Funds.

24 Sec. 23. Laws 2010, LB 935, section 43, is amended to
25 read:

26 Sec. 43. AGENCY NO. 12 - STATE TREASURER

27 Program No. 505 - Educational Savings Unit

	FY2009-10	FY2010-11	
1			
2	CASH FUND	579,273	487,078
3	PROGRAM TOTAL	579,273	487,078
4	<u>CASH FUND</u>	<u>579,273</u>	<u>408,004</u>
5	<u>PROGRAM TOTAL</u>	<u>579,273</u>	<u>408,004</u>
6	SALARY LIMIT	68,977	63,384

7 The unexpended Cash Fund appropriation balance existing
8 on June 30, 2009, less \$4,980, is hereby reappropriated.

9 Sec. 24. Laws 2010, LB 935, section 45, is amended to
10 read:

11 Sec. 45. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION
12 Program No. 25 - Education, Administration, and Support

	FY2009-10	FY2010-11	
13			
14	GENERAL FUND	10,626,829	10,821,961
15	<u>GENERAL FUND</u>	<u>10,626,829</u>	<u>10,731,412</u>
16	CASH FUND	1,090,917	1,076,053
17	FEDERAL FUND est.	20,690,373	21,287,206
18	REVOLVING FUND	158,800	154,728
19	PROGRAM TOTAL	32,566,919	33,339,948
20	SALARY LIMIT	12,482,718	13,087,910
21	<u>PROGRAM TOTAL</u>	<u>32,566,919</u>	<u>33,249,399</u>
22	<u>SALARY LIMIT</u>	<u>12,482,718</u>	<u>13,009,275</u>

23 There is included in the appropriation to this program

1 for FY2009-10 \$253,110 General Funds and for FY2010-11 \$246,620
2 General Funds to carry out the provisions of Laws 2006, LB 1024, or
3 any subsequent laws enacted to amend or replace Laws 2006, LB 1024,
4 which shall only be used for such purpose.

5 There is included in the appropriation to this program
6 for FY2009-10 \$2,276,625 General Funds and \$2,750,000 Federal Funds
7 estimate for statewide assessment and reporting, which shall only
8 be used for such purpose. There is included in the appropriation to
9 this program for FY2010-11 \$2,664,750 General Funds and \$2,750,000
10 Federal Funds estimate for statewide assessment and reporting,
11 which shall only be used for such purpose.

12 There is included in the appropriation to this program
13 for FY2009-10 \$91,000 General Funds and for FY2010-11 \$91,000
14 General Funds for state administrative expenses related to
15 the receipt of federal funds from the American Recovery and
16 Reinvestment Act of 2009, which shall only be used for such
17 purpose.

18 The Department of Administrative Services shall monitor
19 the appropriations and expenditures for this program according to
20 the following program classifications:

- 21 No. 25 - Commissioner's Office
- 22 No. 403 - Assessment/Report Card
- 23 No. 440 - Human Resources
- 24 No. 441 - Curriculum/Instruction/Innovation
- 25 No. 442 - Diversity Populations: Equity and Instructional
- 26 Issues
- 27 No. 444 - Office of Early Childhood

- 1 No. 445 - Data Systems
- 2 No. 446 - Adult Program Services
- 3 No. 447 - School Improvement/Accreditation
- 4 No. 448 - Diversity Populations: Special Education
- 5 No. 449 - Federal Programs
- 6 No. 450 - Select Department-wide Costs
- 7 No. 451 - Finance and Organization Services

8 The unexpended General Fund appropriation balance
9 existing on June 30, 2009, less \$399,610, is hereby reappropriated.

10 The unexpended Cash Fund appropriation balance existing
11 on June 30, 2009, less \$363,584, is hereby reappropriated.

12 The unexpended Revolving Fund appropriation balance
13 existing on June 30, 2009, less \$128,133, is hereby reappropriated.

14 Sec. 25. Laws 2010, LB 935, section 46, is amended to
15 read:

16 Sec. 46. AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION
17 Program No. 614 - Professional Practices Commission

18		FY2009-10	FY2010-11
19	CASH FUND	147,129	123,207
20	PROGRAM TOTAL	147,129	123,207
21	SALARY LIMIT	88,792	89,571
22	<u>SALARY LIMIT</u>	<u>88,792</u>	<u>90,024</u>

23 The unexpended Cash Fund appropriation balance existing
24 on June 30, 2009, less \$24,088, is hereby reappropriated.

25 Sec. 26. Laws 2010, LB 935, section 64, is amended to
26 read:

1 Sec. 64. AGENCY NO. 25 - DEPARTMENT OF HEALTH AND HUMAN
2 SERVICES

3 Program No. 348 - Medical Assistance

4	FY2009-10	FY2010-11
5 GENERAL FUND	434,523,154	490,621,146
6 <u>GENERAL FUND</u>	<u>434,523,154</u>	<u>452,121,146</u>
7 CASH FUND	23,144,586	23,144,586
8 FEDERAL FUND est.	1,129,114,131	1,099,450,955
9 <u>FEDERAL FUND est.</u>	<u>1,129,114,131</u>	<u>1,137,950,955</u>
10 PROGRAM TOTAL	1,586,781,871	1,613,216,687

11 There is included in the appropriation to this program
12 for FY2009-10 \$434,523,154 General Funds, \$23,144,586 Cash
13 Funds, and \$1,129,114,131 Federal Funds estimate for state
14 aid, which shall only be used for such purpose. There is
15 included in the appropriation to this program for FY2010-11
16 ~~\$490,621,146~~ \$452,121,146 General Funds, \$23,144,586 Cash Funds,
17 and ~~\$1,099,450,955~~ \$1,137,950,955 Federal Funds estimate for state
18 aid, which shall only be used for such purpose.

19 There is included in the appropriation to this program
20 for FY2009-10 \$4,765,896 Cash Funds for state aid for the
21 continuation of the behavioral health provider rate increase
22 and behavioral health provider rate increase for managed care,
23 inpatient services, and residential treatment services provided
24 with funds from the Nebraska Health Care Cash Fund. There
25 is included in the appropriation to this program for FY2010-11

1 \$4,765,896 Cash Funds for state aid for the continuation of the
2 behavioral health provider rate increase and behavioral health
3 provider rate increase for managed care, inpatient services,
4 and residential treatment services provided with funds from the
5 Nebraska Health Care Cash Fund.

6 There is included in the appropriation to this program
7 for FY2009-10 \$450,000 Cash Funds from the Nebraska Health Care
8 Cash Fund and \$893,684 Federal Funds estimate for a state plan
9 amendment covering tobacco-use cessation in compliance with Title
10 XIX of the federal Social Security Act. There is included in the
11 appropriation to this program for FY2010-11 \$450,000 Cash Funds
12 from the Nebraska Health Care Cash Fund and \$788,304 Federal Funds
13 estimate for a state plan amendment covering tobacco-use cessation
14 in compliance with Title XIX of the federal Social Security Act.
15 The smoking cessation funding for FY2009-10 and FY2010-11 is for
16 the costs of tobacco-use cessation counseling and tobacco-use
17 cessation pharmaceuticals approved by the federal Food and Drug
18 Administration for such purpose.

19 It is the intent of the Legislature that phased-down
20 state contributions to the federal government as defined and
21 required by the Medicare Prescription Drug, Improvement, and
22 Modernization Act of 2003 may be made from appropriations to
23 this program.

24 There is included in the Federal Fund estimate
25 \$97,376,177 for FY2009-10 and \$63,082,483 for FY2010-11, to be
26 received as authorized by ARRA, for Title 5, Federal Medicaid
27 Assistance Participation rate (FMAP).

1 There is included in the Federal Fund estimate
2 \$31,000,000 for FY2009-10 to be received as authorized by ARRA, for
3 Title 5, Federal Medicaid Assistance Participation rate First Tier
4 Unemployment Factor.

5 The unexpended General Fund appropriation balance
6 existing on June 30, 2009, less \$23,400,000, is hereby
7 reappropriated.

8 The unexpended Cash Fund appropriation balance existing
9 on June 30, 2009, less \$1,997,150, is hereby reappropriated.

10 The unexpended General Fund appropriation balance
11 existing on June 30, 2010, less \$11,546,186, is hereby
12 reappropriated.

13 Sec. 27. Laws 2010, LB 935, section 99, is amended to
14 read:

15 Sec. 99. AGENCY NO. 65 - DEPARTMENT OF ADMINISTRATIVE
16 SERVICES

17 Program No. 685 - Office of the Nebraska Capitol
18 Commission

	FY2009-10	FY2010-11
19 GENERAL FUND	4,101,575	3,888,367
20 CASH FUND	36,319	35,387
21 REVOLVING FUND	4,875	4,750
22 PROGRAM TOTAL	4,142,769	3,928,504
23 SALARY LIMIT	1,174,072	1,202,354

24 The unexpended General Fund appropriation balance
25 existing on June 30, 2009, less \$251,402, is hereby reappropriated.
26

1 The unexpended Cash Fund appropriation balance existing
2 on June 30, 2009, less \$7,014, is hereby reappropriated.

3 The unexpended Revolving Fund appropriation balance
4 existing on June 30, 2009, less \$23,940, is hereby reappropriated.

5 The unexpended General Fund appropriation balance
6 existing on June 30, 2010, less \$500,000, is hereby reappropriated.

7 Sec. 28. Laws 2010, LB 935, section 106, is amended to
8 read:

9 Sec. 106. AGENCY NO. 72 - DEPARTMENT OF ECONOMIC
10 DEVELOPMENT

11 Program No. 600 - Administration

	FY2009-10	FY2010-11
12		
13 GENERAL FUND	1,293,987	1,263,170
14 CASH FUND	279,493	272,688
15 FEDERAL FUND est.	152,037	156,823
16 PROGRAM TOTAL	1,725,517	1,692,681
17 SALARY LIMIT	932,469	954,630

18 There is included in the appropriation to this program
19 for FY2009-10 \$100,000 General Funds and \$14,625 Cash Funds for
20 state aid, which shall only be used for such purpose. There is
21 included in the appropriation to this program for FY2010-11 \$93,100
22 General Funds and \$14,250 Cash Funds for state aid, which shall
23 only be used for such purpose.

24 The unexpended General Fund appropriation balance
25 existing on June 30, 2009, less \$72,068, is hereby reappropriated.

26 The unexpended Cash Fund appropriation balance existing

1 on June 30, 2009, less \$78,120, is hereby reappropriated.

2 The unexpended General Fund appropriation balance
3 existing on June 30, 2010, less \$15,816, is hereby reappropriated.

4 Sec. 29. Laws 2010, LB 935, section 107, is amended to
5 read:

6 Sec. 107. AGENCY NO. 72 - DEPARTMENT OF ECONOMIC
7 DEVELOPMENT

8 Program No. 601 - Community and Rural Development

9		FY2009-10	FY2010-11
10	GENERAL FUND	742,138	697,146
11	CASH FUND	11,421,984	11,416,961
12	FEDERAL FUND est.	20,505,488	20,539,658
13	PROGRAM TOTAL	32,669,610	32,653,765
14	SALARY LIMIT	878,010	898,246

15 There is included in the appropriation to this program
16 for FY2009-10 \$497,500 General Funds, \$11,000,000 Cash Funds, and
17 \$19,337,950 Federal Funds estimate for state aid, which shall only
18 be used for such purpose. There is included in the appropriation to
19 this program for FY2010-11 \$463,172 General Funds, \$11,000,000 Cash
20 Funds, and \$19,337,950 Federal Funds estimate for state aid, which
21 shall only be used for such purpose.

22 The unexpended General Fund appropriation balance
23 existing on June 30, 2009, less \$644,582, is hereby reappropriated.

24 The unexpended Cash Fund appropriation balance existing
25 on June 30, 2009, less \$4,535,974, is hereby reappropriated.

26 The unexpended General Fund appropriation balance

1 existing on June 30, 2010, less \$9,908, is hereby reappropriated.

2 Sec. 30. Laws 2010, LB 935, section 108, is amended to
3 read:

4 Sec. 108. AGENCY NO. 72 - DEPARTMENT OF ECONOMIC
5 DEVELOPMENT

6 Program No. 603 - Industrial Recruitment

	FY2009-10	FY2010-11
7		
8 GENERAL FUND	2,866,135	2,696,633
9 CASH FUND	1,241,772	1,242,798
10 FEDERAL FUND est.	325,515	325,515
11 PROGRAM TOTAL	4,433,422	4,264,946
12 SALARY LIMIT	1,515,864	1,551,673

13 There is included in the appropriation to this program
14 for FY2009-10 \$1,107,944 Cash Funds and \$249,341 Federal Funds
15 estimate for state aid, which shall only be used for such
16 purpose. There is included in the appropriation to this program for
17 FY2010-11 \$1,107,944 Cash Funds and \$249,341 Federal Funds estimate
18 for state aid, which shall only be used for such purpose.

19 The unexpended General Fund appropriation balance
20 existing on June 30, 2009, less \$452,730, is hereby reappropriated.

21 The unexpended Cash Fund appropriation balance existing
22 on June 30, 2009, less \$12,209,453, is hereby reappropriated.

23 The unexpended General Fund appropriation balance
24 existing on June 30, 2010, less \$33,298, is hereby reappropriated.

25 Sec. 31. Laws 2010, LB 935, section 111, is amended to
26 read:

1 Sec. 111. AGENCY NO. 77 - COMMISSION OF INDUSTRIAL
2 RELATIONS

3 Program No. 490 - Commissioner Expenses

4		FY2009-10	FY2010-11
5	GENERAL FUND	103,130	98,475
6	PROGRAM TOTAL	103,130	98,475
7	SALARY LIMIT	89,300	89,300

8 The unexpended General Fund appropriation balance
9 existing on June 30, 2009, less \$4,534, is hereby reappropriated.

10 The unexpended General Fund appropriation balance
11 existing on June 30, 2010, less \$59,203, is hereby reappropriated.

12 Sec. 32. Laws 2010, LB 935, section 112, is amended to
13 read:

14 Sec. 112. AGENCY NO. 77 - COMMISSION OF INDUSTRIAL
15 RELATIONS

16 Program No. 531 - Administration

17		FY2009-10	FY2010-11
18	GENERAL FUND	221,501	211,506
19	PROGRAM TOTAL	221,501	211,506
20	SALARY LIMIT	127,071	130,260

21 The unexpended General Fund appropriation balance
22 existing on June 30, 2009, less \$45,159, is hereby reappropriated.

23 The unexpended General Fund appropriation balance
24 existing on June 30, 2010, less \$30,797, is hereby reappropriated.

25 Sec. 33. Section 90-519, Revised Statutes Cumulative

1 Supplement, 2010, is amended to read:

2 90-519 AGENCY NO. 13 - STATE DEPARTMENT OF EDUCATION

3 Program No. 158 - Education Aid

4	FY2009-10	FY2010-11
5 GENERAL FUND	1,034,668,501	1,004,793,095
6 <u>GENERAL FUND</u>	<u>1,034,668,501</u>	<u>1,004,011,278</u>
7 CASH FUND	3,290,938	3,290,938
8 FEDERAL FUND est.	373,683,935	431,176,314
9 PROGRAM TOTAL	1,411,643,374	1,439,260,347
10 <u>PROGRAM TOTAL</u>	<u>1,411,643,374</u>	<u>1,438,478,530</u>

11 There is included in the appropriation to this
12 program for FY2009-10 \$1,034,668,501 General Funds, \$3,290,938
13 Cash Funds, and \$373,683,935 Federal Funds estimate for state
14 aid, which shall only be used for such purpose. There is
15 included in the appropriation to this program for FY2010-11
16 ~~\$1,004,793,095~~ \$1,004,011,278 General Funds, \$3,290,938 Cash Funds,
17 and \$431,176,314 Federal Funds estimate for state aid, which shall
18 only be used for such purpose.

19 There is included in the amount shown for FY2009-10
20 \$824,960,159 General Funds which are hereby appropriated to
21 the Tax Equity and Educational Opportunities Fund, which
22 fund is hereby appropriated to provide state aid to public
23 school districts pursuant to the Tax Equity and Educational
24 Opportunities Support Act. There is included in the amount shown
25 for FY2010-11 ~~\$796,734,560~~ \$795,941,720 General Funds which are

1 hereby appropriated to the Tax Equity and Educational Opportunities
2 Fund, which fund is hereby appropriated to provide state aid to
3 public school districts pursuant to the Tax Equity and Educational
4 Opportunities Support Act.

5 There is included in the amount shown for FY2009-10
6 \$93,668,750 Federal Funds estimate pursuant to the American
7 Recovery and Reinvestment Act of 2009 which are hereby appropriated
8 to the Tax Equity and Educational Opportunities Fund, which fund
9 is hereby appropriated to provide state aid to public school
10 districts pursuant to the Tax Equity and Educational Opportunities
11 Support Act. There is included in the amount shown for FY2010-11
12 \$140,287,176 Federal Funds estimate pursuant to the American
13 Recovery and Reinvestment Act of 2009 which are hereby appropriated
14 to the Tax Equity and Educational Opportunities Fund, which fund is
15 hereby appropriated to provide state aid to public school districts
16 pursuant to the Tax Equity and Educational Opportunities Support
17 Act.

18 There is included in the amount shown for this program
19 \$184,893,842 General Funds provided as state aid for FY2009-10 for
20 special education reimbursement. There is included in the amount
21 shown for this program \$184,893,842 General Funds provided as state
22 aid for FY2010-11 for special education reimbursement.

23 There is included in the amount shown for this program
24 \$487,500 General Funds provided as state aid for FY2009-10 and
25 \$465,500 General Funds provided as state aid for FY2010-11 to carry
26 out the provisions of subsection (2) of section 79-734.

27 There is included in the amount shown for this program

1 \$3,604,328 General Funds provided as state aid for FY2009-10 and
2 \$3,365,962 General Funds provided as state aid for FY2010-11 for
3 early childhood education projects.

4 There is included in the amount shown for this program
5 \$11,858,793 General Funds provided as state aid for FY2009-10 and
6 \$11,040,536 General Funds provided as state aid for FY2010-11 for
7 core services for educational service units.

8 There is included in the amount shown for this program
9 \$3,700,477 General Funds provided as state aid for FY2009-10 and
10 \$3,445,144 General Funds provided as state aid for FY2010-11 for
11 technology infrastructure for educational service units.

12 There is included in the amount shown for this program
13 \$328,300 General Funds provided as state aid for FY2009-10 and
14 \$305,647 General Funds provided as state aid for FY2010-11 for
15 distance education aid to educational service units.

16 There is included in the amount shown for this program
17 \$2,336,921 General Funds provided as state aid for FY2009-10 and
18 \$2,175,673 General Funds provided as state aid for FY2010-11 for
19 programs for learners with high ability.

20 There is included in the amount shown for this program
21 \$412,811 General Funds provided as state aid for FY2009-10 and
22 ~~\$427,260~~ \$438,283 General Funds provided as state aid for FY2010-11
23 for the school breakfast program.

24 There is included in the amount shown for this program
25 \$410,560 General Funds provided as state aid for FY2009-10 and
26 \$392,032 General Funds provided as state aid for FY2010-11 for the
27 school lunch program.

1 There is included in the amount shown for this program
2 \$224,810 General Funds provided as state aid for FY2009-10 and
3 \$214,664 General Funds provided as state aid for FY2010-11 for
4 adult basic education programs.

5 There is included in the amount shown for this program
6 \$450,000 General Funds provided as state aid for FY2009-10 and
7 \$450,000 General Funds provided as state aid for FY2010-11 for the
8 Career Education Partnership Act.

9 There is included in the amount shown for this program
10 \$1,000,000 General Funds provided as state aid for FY2009-10 and
11 \$882,275 General Funds provided as state aid for FY2010-11 for
12 learning community aid.

13 On or before October 1 of each year, the Department of
14 Health and Human Services and the State Department of Education
15 shall jointly certify to the budget administrator of the budget
16 division of the Department of Administrative Services the amount
17 of federal medicaid funds paid to school districts pursuant to
18 the Early Intervention Act for special education services for
19 children age five years and older. The General Fund appropriation
20 to the State Department of Education, Program 158, for state
21 special education aid shall be decreased by an amount equal to
22 the amount that would have been reimbursed with state General
23 Funds to the school districts through the special education
24 reimbursement process for special education services for children
25 age five years and older that was paid to school districts or
26 approved cooperatives with federal medicaid funds. There is hereby
27 appropriated from the General Fund an amount equal to the amount

1 certified to the budget administrator for FY2009-10 and FY2010-11
2 to the Department of Health and Human Services to aid in carrying
3 out the provisions of Laws 1991, LB 701. The budget administrator
4 shall distribute the amount appropriated between budget programs
5 according to percentages certified by the Department of Health and
6 Human Services.

7 Notwithstanding other provisions of this act, all
8 appropriations within this program existing on June 30, 2009, in
9 excess of expended or encumbered amounts are hereby lapsed.

10 The unexpended General Fund appropriation balance
11 existing on June 30, 2010, less \$47,596, is hereby reappropriated.

12 Sec. 34. LIMITATION ON SALARIES, WAGES, AND PER DIEMS.

13 (1) For purposes of this act, (a) SALARY LIMIT shall mean
14 total expenditures for permanent and temporary salaries and per
15 diems and (b) total expenditures for permanent and temporary
16 salaries and per diems shall mean all remuneration paid to
17 employees treated as taxable compensation by the Internal Revenue
18 Service or subject to social security coverage, specifically
19 including payments accounted for as vacation, holidays, sick leave,
20 military leave, funeral leave, maternity leave, administrative
21 leave, compensatory time, deferred compensation, or any other
22 similar form, and amounts withheld pursuant to law, but excluding
23 state contributions for social security, retirement, and employee
24 insurance plans.

25 (2) Total expenditures for permanent and temporary
26 salaries and per diems shall be limited to the amount shown except
27 when federal funds in excess of the amount shown are available and

1 approved by the Governor. Expenditures for permanent and temporary
2 salaries and per diems from such grants shall be in addition to
3 the limitation on permanent and temporary salaries and per diems
4 otherwise shown in this act. No agency shall request any state
5 funds for continuation or replacement of any such personnel or
6 activities in future budget requests. To the extent feasible,
7 requests for increases in the limitation on permanent and temporary
8 salaries and per diems shall be addressed to the Appropriations
9 Committee of the Legislature when the Legislature is in session.

10 (3) Expenditures for permanent and temporary salaries
11 resulting from awards made to employees under sections 81-1346 to
12 81-1354 shall be in addition to the limitations on permanent and
13 temporary salaries and per diems otherwise shown in this act.

14 (4) The limitation on expenditures for permanent and
15 temporary salaries and per diems for FY2010-11 as established by
16 the Legislature shall be the basis for continuation funding for
17 each fiscal year of the succeeding biennium.

18 (5) The limitation on expenditures for permanent and
19 temporary salaries and per diems for FY2010-11 shall be increased
20 by certified encumbrance amounts from FY2009-10 for permanent and
21 temporary salaries and per diems. Encumbered amounts shall be
22 calculated in accordance with section 81-138.01.

23 (6) The limitation on expenditures for permanent and
24 temporary salaries and per diems shall only apply to remuneration
25 paid to state employees or per diem payments made to members of
26 state boards or commissions.

27 Sec. 35. Original Laws 2009, LB 314, section 31, Laws

1 2009, LB 315, section 216, Laws 2009, LB 603A, sections 1 and 2,
2 Laws 2009, First Special Session, LB 1, sections 14, 91, 96, 100,
3 101, 103, 122, and 217, and Laws 2010, LB 935, sections 11, 19, 43,
4 45, 46, 64, 99, 106, 107, 108, 111, and 112, and section 90-519,
5 Revised Statutes Cumulative Supplement, 2010, are repealed.

6 Sec. 36. Since an emergency exists, this act takes effect
7 when passed and approved according to law.